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Group V, Claims 1-13 and 24-29, drawn to an enzyme comprising Lys-Asn-Phe-Phe-Asn-Tyr, 4 uses of the enzyme and a detergent comprising the enzyme;

Group VI, Claims 14-23, drawn to a DNA encoding Asn-Asn-(Leu/Phe/Lys/Ile)-Trp-Gly, a vector containing the DNA, a host cell containing the vector, a method of making the enzyme using the host cell and a method for obtaining a gene;

Group VII, Claims 14-23, drawn to a DNA encoding Glu-(Leu/Phe/Ile)-Met-Ile-Trp, a vector containing the DNA, a host cell containing the vector, a method of making the enzyme using the host cell and a method for obtaining a gene;

Group VIII, Claims 14-23, drawn to a DNA encoding Gly-Thr-Glu-Pro-Phe-Thr, a vector containing the DNA, a host cell containing the vector, a method of making the enzyme using the host cell and a method for obtaining a gene;

Group IX, Claims 14-23, drawn to a DNA encoding (Ser/Tyr/Cys/Trp/Thr/Asn/Lys/Arg)-Val/Pro-(Lys/Ala)-(Ser/Ala)-(Tyr/Phe), a vector containing the DNA, a host cell containing the vector, a method of making the enzyme using the host cell and a method for obtaining a gene;

Group X, Claims 14-23, drawn to a DNA encoding Lys-Asn-Phe-Phe-Asn-Tyr, a vector containing the DNA, a host cell containing the vector, a method of making the enzyme using the host cell and a method for obtaining a gene;

Initially, Applicants note that there are thirty (30) claims pending in the present application and that claim 30 is not cited in any of the groups enumerated by the Examiner. Applicants believe that claim 30 was inadvertently omitted from the groups directed to claims 1-13 and 24-29. In other words, Groups I –V should recite claims 1-13 and 24-30.

Applicants traverse this restriction requirement and believe that this is an election of species requirement and that Groups I thru V are directed to an invention that could be subject to a search and examination without serious burden to the Examiner, see MPEP sections 803 and 808. Similarly, Groups VI thru X constitute an invention. Thus, Applicants assert that the proper restriction should be for two groups – one group directed to the protein claims (i.e., claims 1-13 and 24-29 [and claim 30]) and one group directed to the DNA claims (i.e., claims 14-23).

Claims to be restricted to different species *must* be mutually exclusive. MPEP 806.04(f), emphasis added. The test as stated in the MPEP is “the fact that one claim recites limitations which under the disclosure are found in a first species but not in a

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second, while a second claim recites limitations disclosed only for the second species and not the first." *Id.* This is not the case with the present application.

Furthermore, the proteins of the present invention (and the DNAs encoding them) are not limited to having only a single amino acid string as proposed by the Examiner by the current restriction. Thus, an inventive protein, as described by the claims, may comprise "an amino acid string selected from the group consisting of one or more" of the enumerated sequences.

Applicants believe that Claims 1 and 14 are properly characterized as linking claims for their respective inventions. "The linking claims must be examined with the invention elected, and should any linking claim be allowed, the restriction requirement must be withdrawn." MPEP 809. For this reason, Applicants have not amended claim 1.

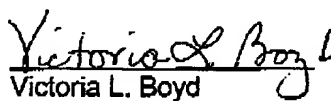
In order to further prosecution, Applicants hereby elect, with traverse, the invention in Group I, Claims 1-13 and 24-29, drawn to an enzyme comprising Asn-Asn-(Leu/Phe/Lys/Ile)-Trp-Gly, 4 uses of the enzyme and a detergent comprising the enzyme.

→ Please cancel claims 14-23 as directed to a non-elected invention.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Applicants have fully and completely responded to the Office Action and have made the required election. This application is now in order for early action.

Respectfully submitted,

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Victoria L. Boyd  
Registration No. 43,510

Genencor International, Inc.  
925 Page Mill Road  
Palo Alto, CA 94304-1013  
Tel: 650-846-7615  
Fax: 650-845-6504

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